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Paper No. 26

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In re Application of
Robert W. Brocia
Application No. 09/005,711
Filed: January 12, 1998
Attorney Docket No. RO-11.003

OFFICE OF PETITIONS

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed February 25, 2003, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned as a result of petitioner's failure to file an appeal brief (and fee required by 37 CFR 1.17(c)) within the time period provided in 37 CFR 1.192(a). As an appeal brief (and appeal brief fee) was not filed within two (2) months of the Notice of Appeal filed August 15, 2002 and no extensions of time under the provisions of 37 CFR 1.136(a) were obtained, the appeal was dismissed and the proceedings as to the rejected claims were terminated. See 37 CFR 1.192(b) & 1.197(c). As no claim was allowed, the above-identified application became abandoned on October 16, 2002. See MPEP 1215.04.

The above-identified application is being revived solely for purposes of continuity with a continued prosecution application (CPA) filed on February 25, 2003.

Telephone inquiries concerning this decision should be directed to Latrice Bond at (703) 308-6911.

The application file is being forwarded to Technology Center AU 1651 for processing the CPA filed with the instant petition.

A handwritten signature in cursive script that reads "Latrice Bond".

Latrice Bond
Paralegal Specialist
Office of Petitions
Office of the Deputy Commissioner
For Patent Examination Policy